

PROOF

STATE OF IOWA

Senate Journal

TUESDAY, MARCH 5, 2019

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JOURNAL OF THE SENATE

FIFTY-FIRST CALENDAR DAY
THIRTIETH SESSION DAY

Senate Chamber
Des Moines, Iowa, Tuesday, March 5, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by Pastor Greg Jorgensen of the Downtown Church in Milford, Iowa. He was the guest of Senator Whiting.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Brooklyn Price.

The Journal of Monday, March 4, 2019, was approved.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Stephan Bayens, the Governor's appointee to be the Commissioner of Public Safety. He was the guest of Senators Breitbach and T. Taylor and the committee on Transportation.

SPECIAL GUESTS

Senator Rozenboom introduced to the Senate chamber Queen Olivia Vander Leest and representatives from Pella's Eighty-fourth Annual Tulip Time Festival. Queen Vander Leest invited the Senate chamber to attend the Tulip Time Festival in Pella on May 2, 3, and 4, 2019.

The Senate rose and expressed its welcome.

Senator Rozenboom escorted the Queen and her court to the well. Queen Vander Leest introduced the following members of her court: Mary Kate Bandstra and her parents, Ryan and Anne Bandstra; IsaBella Baugh and her parents, Curtis and Lori Baugh; Camryn Huyser and her parents, Chad and Valerie Huyser; and Emily Schreur and her parents, Seth and Sarah Schreur. The Queen presented President Schneider with a package of the famous Pella Dutch pastries.

The Queen, her attendants, and their parents distributed pastries to the senators and staff.

ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:14 a.m. until 9:00 a.m., Wednesday, March 6, 2019.

APPENDIX

COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

DEPARTMENT OF TRANSPORTATION

Disputed Highway Project Report, pursuant to Iowa Code section 306.54. Report received on March 5, 2019.

DEPARTMENT OF WORKFORCE DEVELOPMENT

Joint Investment Trust Report, pursuant to Iowa Code section 12B.10A. Report received on March 4, 2019.

Reversion Report—Training and Technology Expenditures Report, pursuant to Iowa Code section 8.62. Report received on March 4, 2019.

CERTIFICATES OF RECOGNITION

The Secretary of the Senate issued the following certificates of recognition:

Julien Broderson—For becoming a three-time 2A state champion. Senator R. Smith.

Clarah Buhman, Bettendorf—For earning the Gold Award, the highest award in Girl Scouting. Senator R. Smith.

Clarksville High School Girls Basketball Team—For winning the Class 1A District Championship, and Iowa State Basketball Tournament Qualifier. Senator Ragan.

Tara Cox, Bondurant—Upon her election to city council. Senator Nunn.

Scott Leighter, Altoona—Upon his election to city council. Senator Nunn.

REPORTS OF COMMITTEE MEETINGS

HUMAN RESOURCES

Convened: Wednesday, February 13, 2019, 2:00 p.m.

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkom, Costello, Edler, Garrett, Greene, Johnson, Quirnbach, and Ragan.

Members Absent: Carlin and Jochum (both excused).

Committee Business: Passed [SCR 2](#), as amended. Presentations by Directors Jerry Foxhoven and Michael Randol.

Adjourned: 3:00 p.m.

ALSO:

Convened: Wednesday, February 27, 2019, 3:00 p.m.

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirnbach, and Ragan.

Members Absent: None.

Committee Business: Passed [SF 252](#) and [SF 251](#).

Adjourned: 3:35 p.m.

ALSO:

Convened: Monday, March 4, 2019, 3:00 p.m.

Members Present: Miller-Meeks, Chair; Segebart, Vice Chair; Mathis, Ranking Member; Bolkom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirnbach, and Ragan.

Members Absent: None.

Committee Business: Passed Governor Appointments. [SSB 1209](#), [SSB 1189](#), [SSB 1197](#), [SF 292](#), and [SF 348](#).

Adjourned: 4:20 p.m.

JUDICIARY

Convened: Tuesday, March 5, 2019, 10:00 a.m.

Members Present: Zaun, Chair; Dawson, Vice Chair; Kinney, Ranking Member; Bisignano, Chapman, Garrett, Hogg, Nunn, Petersen, Schultz, Shipley, Sinclair, Sweeney, R. Taylor, and Whiting.

Members Absent: None.

Committee Business: [SF 235](#), as amended; [SF 243](#), as amended; [SF 180](#); [SF 256](#), as amended; [SF 125](#), as amended; [SF 126](#), as amended; and [SSB 1054](#).

Adjourned: 11:50 a.m.

STATE GOVERNMENT

Convened: Tuesday, March 5, 2019, 1:05 p.m.

Members Present: R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, Whiting, and Zaun.

Members Absent: None.

Committee Business: [SSB 1125](#) and [SJR 9](#).

Adjourned: 1:50 p.m.

INTRODUCTION OF RESOLUTION

[Senate Concurrent Resolution 8](#), by committee on Education, a concurrent resolution to establish a fine arts program interim study committee.

Read first time under Rule 28 and **placed on calendar**.

INTRODUCTION OF BILLS

[Senate File 470](#), by Kapucian, a bill for an act allowing a landowner of agricultural land to obtain relief from a government body for its use of adjacent real property.

Read first time under Rule 28 and referred to committee on **Natural Resources and Environment**.

[Senate File 471](#), by Zaun, a bill for an act relating to the termination of parental rights of an incarcerated parent under child in need of assistance proceedings.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 472](#), by Brown, a bill for an act relating to imposition of optional taxes for emergency medical services by counties.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 473](#), by committee on Transportation, a bill for an act relating to motor vehicle taxes and fees, including registration fees for certain electric vehicles, an excise tax on hydrogen used as special fuel, and an excise tax on electricity used as electric fuel, providing penalties, making penalties applicable, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 474](#), by committee on Transportation, a bill for an act relating to motor vehicles that traverse certain railroad grade crossings against a gate or signal, and providing penalties.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 475](#), by committee on State Government, a bill for an act providing for notarial acts involving real estate transactions, including by the use of electronic media, providing penalties, and including effective date provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 476](#), by committee on Labor and Business Relations, a bill for an act relating to the treatment of adoptive parent employees and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 477](#), by committee on Human Resources, a bill for an act relating to juvenile justice, including provisions relating to child foster care and parent visitation in child in need of assistance proceedings.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 478](#), by committee on Transportation, a bill for an act relating to lighting devices and other equipment on snow plows and authorized emergency vehicles.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 479](#), by committee on Human Resources, a bill for an act relating to mental health and disability services, including the establishment of a children's behavioral health system and a children's behavioral health system state board, and requiring certain children's behavioral health core services.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 480](#), by committee on Education, a bill for an act requesting the establishment of an interim committee to study the feasibility of allowing a day of virtual instruction to count as a minimum school day when inclement weather causes schools to close.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 481](#), by committee on Education, a bill for an act relating to the individual income tax by creating a tax credit for community college students pursuing a credential leading to a high-demand occupation and including applicability provisions.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 482](#), by Boulton, a bill for an act relating to competitive bidding requirements for construction by a private party of property to be lease-purchased by certain government entities and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **State Government**.

[Senate File 483](#), by Petersen, a bill for an act relating to sexual harassment in employment and working relationships, and including effective date provisions.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

STUDY BILLS RECEIVED

[SSB 1234](#) **Commerce**

Relating to Medicaid processes, procedures, and oversight.

[SSB 1235](#) **Human Resources**

Relating to the practice of dentistry, including the practice of dental hygiene and the services of dental assistants, and providing penalties.

[SSB 1236](#) **Ways and Means**

Relating to the exclusion of retirement income from the computation of the individual income tax including providing an exclusion for the federal civil service retirement system, and phasing in an exclusion of other retirement income, and including retroactive applicability provisions.

SSB 1237 Labor and Business Relations

Requiring drug testing of applicants for and certain recipients of assistance under the family investment program.

SSB 1238 State Government

Relating to the practice and licensure of physician assistants, and providing penalties.

SSB 1239 State Government

Relating to the auditor of state and including effective date and applicability provisions.

SSB 1240 Human Resources

Relating to the provision of behavioral health services including via telemedicine in a school setting.

SSB 1241 State Government

Relating to the conduct of state and local elections, providing penalties, and including effective date provisions.

SUBCOMMITTEE ASSIGNMENTS**Senate File 421**

HUMAN RESOURCES: Carlin, Chair; Edler and Jochum

Senate File 422

HUMAN RESOURCES: Costello, Chair; Greene and Mathis

Senate File 423

TRANSPORTATION: Brown, Chair; Koelker and J. Smith

Senate File 431

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Carlin and T. Taylor

[Senate File 434](#)

HUMAN RESOURCES: Edler, Chair; Carlin and Ragan

[Senate File 443](#)

HUMAN RESOURCES: Costello, Chair; Bolkom and Carlin

[Senate File 453](#)

HUMAN RESOURCES: Costello, Chair; Greene and Quirnbach

[Senate File 454](#)

HUMAN RESOURCES: Costello, Chair; Bolkom and Johnson

[Senate File 466](#)

JUDICIARY: Schultz, Chair; Chapman and R. Taylor

[Senate File 467](#)

HUMAN RESOURCES: Greene, Chair; Quirnbach and Segebart

[Senate File 468](#)

HUMAN RESOURCES: Costello, Chair; Garrett and Jochum

[Senate File 469](#)

JUDICIARY: Garrett, Chair; R. Taylor and Whiting

[Senate File 471](#)

JUDICIARY: Garrett, Chair; Sweeney and R. Taylor

[SSB 1234](#)

COMMERCE: Koelker, Chair; Johnson and Mathis

[SSB 1235](#)

HUMAN RESOURCES: Miller-Meeks, Chair; Mathis and Segebart

[SSB 1236](#)

WAYS AND MEANS: Feenstra, Chair; Bolkom and R. Smith

[SSB 1237](#)

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Dotzler and Whiting

[SSB 1238](#)

STATE GOVERNMENT: Whiting, Chair; Bisignano and Cournoyer

[SSB 1239](#)

STATE GOVERNMENT: Feenstra, Chair; Jochum and R. Smith

[SSB 1240](#)

HUMAN RESOURCES: Miller-Meeks, Chair; Johnson and Quirnbach

[SSB 1241](#)

STATE GOVERNMENT: R. Smith, Chair; Chapman and Jochum

FINAL COMMITTEE REPORTS OF BILL ACTION

EDUCATION

Bill Title: [SENATE CONCURRENT RESOLUTION 8 \(SSB 1214\)](#), a concurrent resolution to establish a fine arts program interim study committee.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirnbach, Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [*SENATE FILE 480](#) (formerly [SF 353](#)), a bill for an act requesting the establishment of an interim committee to study the feasibility of allowing a day of virtual instruction to count as a minimum school day when inclement weather causes schools to close.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 15: Sinclair, Cournoyer, Quirnbach, Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on [Senate File 480](#), and they were attached to the committee report.

ALSO:

Bill Title: *[SENATE FILE 481](#) (formerly [SF 297](#)), a bill for an act relating to the individual income tax by creating a tax credit for community college students pursuing a credential leading to a high-demand occupation and including applicability provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 10: Sinclair, Cournoyer, Behn, Edler, Johnson, Kraayenbrink, Lofgren, Rozenboom, Sweeney, and Zaun. Nays, 5: Quirnbach, Celsi, Ragan, J. Smith, and Wahls. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on [Senate File 481](#), and they were attached to the committee report.

HUMAN RESOURCES

Bill Title: [SENATE FILE 477 \(SSB 1209\)](#), a bill for an act relating to juvenile justice, including provisions relating to child foster care and parent visitation in child in need of assistance proceedings.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirnbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 479 \(SSB 1197\)](#), a bill for an act relating to mental health and disability services, including the establishment of a children's behavioral health system and a children's behavioral health system state board, and requiring certain children's behavioral health core services.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Miller-Meeks, Segebart, Mathis, Bolkcom, Carlin, Costello, Edler, Garrett, Greene, Jochum, Johnson, Quirnbach, and Ragan. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LABOR AND BUSINESS RELATIONS

Bill Title: [SENATE FILE 476 \(SSB 1204\)](#), a bill for an act relating to the treatment of adoptive parent employees and making penalties applicable.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 11: Schultz, Whiting, T. Taylor, Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, and R. Taylor. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: *[SENATE FILE 475 \(SSB 1116\)](#), a bill for an act providing for notarial acts involving real estate transactions, including by the use of electronic media, providing penalties, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 14: R. Smith, Johnson, Bisignano, Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Miller-Meeks, Schultz, T. Taylor, and Whiting. Nays, none. Absent, 1: Zaun.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the State Government Committee on [Senate File 475](#), and they were attached to the committee report.

TRANSPORTATION

Bill Title: [SENATE FILE 388](#), a bill for an act relating to the Iowa patriots memorial highway, and including applicability provisions.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 389](#), a bill for an act relating to the operation of motor vehicles in the left-most lane of certain roadways, and making penalties applicable.

Recommendation: DO PASS.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 473 \(SSB 1208\)](#), a bill for an act relating to motor vehicle taxes and fees, including registration fees for certain electric vehicles, an excise tax on hydrogen used as special fuel, and an excise tax on electricity used as electric fuel, providing penalties, making penalties applicable, and including effective date provisions.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [SENATE FILE 474](#) (formerly [SF 295](#)), a bill for an act relating to motor vehicles that traverse certain railroad grade crossings against a gate or signal, and providing penalties.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [*SENATE FILE 478 \(SSB 1047\)](#), a bill for an act relating to lighting devices and other equipment on snow plows and authorized emergency vehicles.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Kinney, Koelker, Lykam, Shipley, J. Smith, Wahls, Whiting, and Zumbach. Nays, none. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on [Senate File 478](#), and they were attached to the committee report.

GOVERNOR'S APPOINTEE PLACED ON
EN BLOC CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

COMMERCE

Philip Groner – Executive Director of the Iowa Telecommunications and Technology Commission

GOVERNOR'S APPOINTEE PLACED ON
INDIVIDUAL CONFIRMATION CALENDAR

The following appointee, assigned to standing committee for investigation, was placed on the Individual Confirmation Calendar with recommendation for confirmation:

COMMERCE

Debi Durham – Executive Director of the Iowa Finance Authority

AMENDMENT FILED

[S-3012](#) [S.F. 461](#) Amy Sinclair